



Andrew A. Mathias
Member

July 27, 2021

By ECF

The Honorable Edgardo Ramos
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *United States v. Evans, et al.*, 17 Cr. 684 (ER)

Dear Judge Ramos:

Please allow this letter to serve as a response to the government's recent filing requesting that the Court set a surrender date for Christian Dawkins ("Dawkins") and Merl Code ("Code") (collectively, "Defendants"). It is submitted jointly on behalf of both Defendants.

As you are aware, in addition to this case, Defendants were convicted on various charges in another matter (*United States v. Gatto et al.*, 17 Cr. 686 (LAK)), which was tried before The Honorable Lewis Kaplan. The Defendants face sentences in *Gatto* as well, which are to run consecutively with the sentences imposed by this Court. The United States Circuit Court for the Second Circuit, however, stayed the mandate in *Gatto* pending the filing of a writ of certiorari.

Defendants request that the Court not set a surrender date at this time because doing so would create a risk that they will serve their sentences in this matter, be released, and have to report again to serve their sentences from the *Gatto* matter. Defendants wish to serve their full sentences – whatever they may be – at one time in true consecutive fashion.

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Alternatively, if this Court issues a surrender date now, the Defendants request it provide them at least 60 days to get their affairs in order. Since their conviction, Defendants have maintained exemplary, law-abiding lives and need time to take care of various obligations.

Respectfully submitted,

/s/Andrew A. Mathias

cc: Government counsel (by ECF)